

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

WEBSTER BANK, NATIONAL)	
ASSOCIATION,)	
)	Case No. 08 C 01892
Plaintiff)	
)	
v.)	
)	Hon. Charles R. Norgle
ROMAN SAVCHENKO,)	
)	
Defendant.)	

PLAINTIFF’S MOTION TO EXPEDITE DISCOVERY

Plaintiff Webster Bank National Association, by and through its attorneys, respectfully requests that this Court enter an order allowing for the expedition of discovery and in support states the following:

1. On April 3, 2008, Plaintiff Webster Bank National Association filed the Complaint against Defendant Roman Savchenko. (Dkt. 1). The First Amended Complaint was filed April 10, 2008. (Dkt. 6)
2. Plaintiff’s claims relate to Defendant’s breach of a promissory note, pursuant to which Plaintiff lent money to Defendant for the purpose of construction at 4907 North Winchester Avenue, Chicago, IL 60640 (the “Property”). (First Amend. Compl. ¶¶ 5-24).
3. For approximately five months after the date the original Complaint was filed, Plaintiff actively attempted to serve Defendant with process. Because the Defendant was avoiding service, attempts to serve Defendant were unsuccessful until July 28, 2008, despite Plaintiff’s diligence. (See Dkt.8 and Exhibit A, Invoice and Report of Joseph Mahr)
4. The parties have not yet had a discovery conference as contemplated by Fed. R. Civ. Pro. 26(f).

5. Plaintiff believes the Property to be vacant and therefore susceptible to damage. (See Ex. A).

6. Plaintiff desires to expedite discovery for the purpose of inspecting the Property.

WHEREFORE: Plaintiff Webster Bank National Association respectfully requests this Court enter an order expediting discovery to allow Plaintiff to inspect the property at 4907 North Winchester Avenue, Chicago, IL 60640.

Dated: August 6, 2008

Daniel Lynch (Ill. Bar No. 6202499)
Amy J. Hansen (Ill. Bar No. 6292957)
Lynch & Stern LLP
150 S. Wacker Dr., Suite 2600
Chicago, IL 60606
(312) 442-9480 / (312) 896-5883 (fax)

Respectfully submitted,
Webster Bank, National Association,

s/ Amy J. Hansen (filed electronically)
By: One of Its Attorneys

Exhibit A

Joseph P. Mahr

INVESTIGATIONS
120 EAST OGDEN AVENUE
HINSDALE, ILLINOIS 60521

SUITE 12

630-325-0505

DATE July 25, 2008

**STATEMENT OF SERVICES RENDERED
PAYABLE UPON RECEIPT**

Lynch & Stern LLP
150 South Wacker Drive, Suite 2600
Chicago, IL 60606

Attention: Daniel Lynch

YOUR REFERENCE:

Webster Bank National Association v.
Roman Savchenko
Case No. 08CV1892

SERVICES RENDERED:

Protracted and convoluted search to fully identify and locate for the service of legal process Roman Savchenko, who was using multiple addresses commingled with other persons and appeared to be evading service, all as per oral and written returns, service return and enclosures.

DATES WORKED:

April 4 thru July 23, 2008

HOURS WORKED:

9-3/4 hours @ \$25.00

\$243.75

MILEAGE:

159 miles @ .45

71.55

MISC. EXPENSES:

Information and calls including
mobile phone

12.85

Alphasoundex searches and
license plate checks

20.00

Occupant search, name and
Social Security traces

25.00

Highway tolls

3.20

TOTAL AMOUNT DUE:

\$376.35

Joseph P. Mahr
Tax I.D. No.

JOSEPH P. MAHR INVESTIGATIONS

**120 EAST OGDEN AVENUE
SUITE 12
HINSDALE, ILLINOIS 60521**

**PHONE: 630-325-0505
MOBILE: 312-590-0505
FAX: 630-325-9499**

June 25, 2008

Lynch & Stern LLP
Attorneys at Law
150 South Wacker Drive, Suite 2600
Chicago, IL 60606

Attention: Daniel Lynch

Re: Webster Bank National Association v.
Roman Savchenko
Court No. 08CV1892

Dear Mr. Lynch:

Upon receipt of your service request in this case, we had immediately run the enclosed alpha soundex vehicle registration search to identify vehicles being used by the defendant, as well as a possible service address.

When John first attempted to serve him at 2332 West Iowa in Chicago, a young woman resident told John that Savchenko had moved two years ago. So John proceeded next to 2211 West Cortez in Chicago, where an older gentleman occupant on the first floor told him that vehicle registration or not Savchenko did not live there, but is known to the second floor resident, but no one was home on the second floor. John had also attempted service at the subject 4902 South Winchester address, and he found it vacant and for sale.

At 4907 North Winchester, that also is vacant and also being remodeled, and one of the neighbors that was friendly to John told him that he thought Savchenko had stopped working on this project a couple of months ago because of lack of funding. The permit at that location shows Savchenko's phone number to be 773-742-5594, which by reverse directory was found to be a non-published telephone number and not listed. A phone number associated with Savchenko, 773-278-0219, came back to be at 2332 West Iowa in the name of Oleh Fuoyma, who also said Savchenko did not reside there.

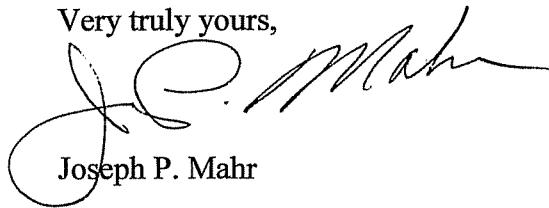
An occupancy search at 2211 West Cortez, the corporate Registered Agent's address for Roman, came back with 47 hits for names at that location, none of them belonging to Roman or his corporation. However, just before being asked to get you the due diligence report, I had finally

Mr. Lynch
Page 2
June 25, 2008

been able to reach Ruslan Zhlobitsky, who is now showing as an occupant at 4902 North Winchester, Apt. 2, Chicago, IL, as well as residing at 5359 West Deming Place, Second Floor, Chicago, IL, which also shows his same phone number, which is obviously a cell phone, and he has agreed to try and reach Roman, who he has not talked to in three weeks, and I believe that we should be able to get Roman served now within the next week or 10 days. Of interest is that we have found 2332 West Iowa and 2211 West Cortez to both be showing no ownership information at the Cook County Recorder of Deeds website, but instead showing as the Grantor being the Commission of Chicago Landmarks.

If you have any questions, please call.

Very truly yours,

A handwritten signature in black ink, appearing to read "J.P. Mahr", with a large, stylized initial "J" and a long horizontal flourish extending to the right.

Joseph P. Mahr

JPM:ce
Encs.

JOSEPH P. MAHR INVESTIGATIONS

**120 EAST OGDEN AVENUE
SUITE 12
HINSDALE, ILLINOIS 60521**

**PHONE: 630-325-0505
MOBILE: 312-590-0505
FAX: 630-325-9499**

July 25, 2008

Lynch & Stern LLP
Attorneys at Law
150 South Wacker Drive, Suite 2600
Chicago, IL 60606

Attention: Daniel Lynch

Re: Webster Bank National Association v.
Roman Savchenko
Case No. 08CV1892

Dear Mr. Lynch:

Since my interim report of June 25, 2008 regarding the efforts to locate and serve the defendant Roman Savchenko in the above captioned case, we had continued our efforts to locate him for service, and persons whose names and phone numbers had been associated with the defendant were contacted where possible, and they claimed not to have any idea where he currently was living or working.

Postal forwarding inquiries, as per my telephone status report to Amy, had found him receiving mail at both 4907 and 4902, with Ruslan Zhlobitsky also still showing at 4902 North Winchester.

When John attempted service at 4902, he learned from the current occupant that he had just purchased the building from Ruslan, and that the defendant did not live or work there at this time. He also told John that Ruslan apparently was put out by Savchenko for some type of problem and would probably help us locate and serve him.

I then called Ruslan, who claimed that he had not seen Savchenko in some time and was anxious to find him himself, and asked if I would let him know where I eventually found Savchenko. He then gave me a cell phone number of 773-742-5594, which was again being answered, and I then called and left my name and number requesting a call as soon as possible making sure that there was no doubt that I wanted to talk to him on an urgent matter that he should under no circumstances ignore.

Mr. Lynch
Page 2
July 25, 2008

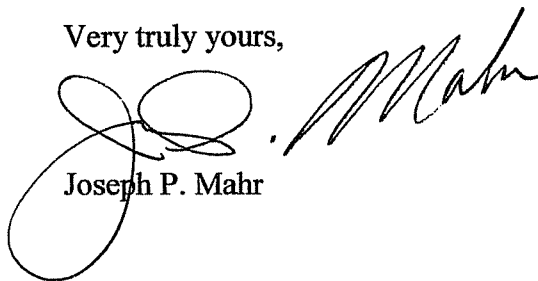
Five days later, on July 23rd, Savchenko left a message with my answering service, and I reverse directoried that called-in number and found it to be in the name of Liliya Popovych, whose vehicle registration for that name showed up at 6970 North Sheridan Road, Apt. 3-A, Chicago, IL 60626.

When I called Mr. Savchenko back, I told him that I had the Federal Summons and Complaint in this case for him, and he started to tell me that he plans to file for bankruptcy unless he is given additional money to finish his project, and I explained to him that unless he had already filed for bankruptcy, the months that we had spent trying to serve him required us to effect the service with no further delay and asked him if we should bring the papers to 6970 North Sheridan Road in Chicago, and he was somewhat surprised that I had his address, and subsequently agreed to accept service at 4902 North Winchester, where he was going to be arriving in 15 or 20 minutes. I informed him that John was on the street, and I would have him proceed there immediately.

John was then able to effect personal service at 5:36 p.m., on July 23, 2008, when Savchenko kept his word and met him on the street at 4913 North Winchester. At the time of service, John indicated that Savchenko is a male white, 33 years of age, 5'10" tall, weighing 150 lbs., with dark brown hair. This was called in to your associate, Amy Hansen, on July 24th

I am enclosing the service return, along with some of the documents generated in this protracted search to effect service on Mr. Savchenko, who may be hiding from process servers in other matters as well as us.

Very truly yours,



Joseph P. Mahr

JPM:ce
Encs. I-R